

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID JOE HOFFMAN,

Defendant.

8:10CR264

ORDER

Defendant David Joe Hoffman appeared before the court on Monday, July 9, 2012 on an Amended Petition for Offender Under Supervision [120]. The defendant was represented by Assistant Federal Public Defender Jeffrey L. Thomas, and the United States was represented by Assistant U.S. Attorney Douglas R. Semisch. Through his counsel, the defendant waived his right to a probable cause hearing on the Amended Petition for Offender Under Supervision [120] pursuant to Fed. R. Crim. P. 32.1(a)(1). The government moved for detention. A detention hearing was held. Since it is the defendant's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is not a danger to the community, the court finds the defendant has failed to carry his burden and that he should be detained pending a dispositional hearing before Chief Judge Smith Camp.

**IT IS ORDERED:**

1. A final dispositional hearing will be held before Chief Judge Smith Camp in Courtroom No.2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on **October 11, 2012 at 9:30 a.m.** Defendant must be present in person.

2. The defendant, David Joe Hoffman, is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 9<sup>th</sup> day of July, 2012.

BY THE COURT:

s/ F. A. Gossett  
United States Magistrate Judge